

EXPRESS MAIL LABEL NO.: EL746187836US

Form PTO-1449

Applicant: Steven D. Jensen and Dan E. Fischer, D.D.S.

Serial No.: 09/710,181

Filing Date: November 10, 2000

For: COMPOSITIONS AND METHODS FOR WHITENING AND DENSITIZING TEETH

Sheet 1 of 17

Att'y Docket No. 2678.3502

Group Art Unit: Not Yet Assigned

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INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

Examiner Initial*	Patent Number	Issue Date	Name	Class	Sub Class	Filing Date
<u>JP</u> A1	165,584	07/13/75	Hopfen	128	136	06/10/75
— A2	767,553	08/10/04	Edgelow	604	77	12/07/03
— A3	803,474	10/31/05	Dennis	433	80	06/14/04
— A4	803,475	10/31/05	Dennis	128	136	11/15/04
— A5	1,371,029	03/08/21	Jennings	128	136	09/11/20
— A6	1,642,653	09/13/27	Goldstein	433	215	02/19/26
— A7	1,691,785	11/13/28	Remensnyder	601	139	09/14/25
— A8	1,818,146	08/11/31	Maker	128	136	02/02/25
— A9	1,934,688	11/14/33	Ackerman	604	77	02/24/31
— A10	2,257,709	09/30/41	Anderson	128	260	10/14/38
— A11	2,669,988	02/23/65	Carpenter	128	136	05/08/51
— A12	2,798,053	07/02/57	Brown	260	2.2	09/03/52
— A13	2,835,628	05/20/58	Saffir	167	84	04/01/57
— A14	2,858,281	10/28/58	Bauman et al	260	2.2	01/22/54
— A15	2,923,692	02/02/60	Ackerman et al	260	17.4	01/25/54
— A16	2,985,625	05/23/61	Jones	260	78	01/18/54
— A17	3,060,935	10/30/62	Riddell	128	260	12/15/60
— A18	3,073,300	01/15/63	Berghash	128	136	03/24/61
— A19	3,107,668	10/22/63	Thompson	128	136	07/17/62
<u>IMD</u> A20	3,224,441	12/21/65	Monaghan	128	136	04/24/63

Examiner: \_\_\_\_\_

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TEETH

	3,224,443	12/21/65	Monaghan	128	136	02/24/65
A22	3,234,942	02/15/66	Simor	128	172.1	09/03/63
A23	3,247,844	04/26/66	Berghash	128	136	01/29/64
A24	3,250,272	05/10/66	Greenberg	128	136	11/05/63
A25	3,319,626	05/16/67	Lindsay	128	136	04/08/65
A26	3,339,547	09/05/67	Drabkowski	128	260	11/27/64
A27	3,379,193	04/23/68	Monaghan	128	136	10/11/65
A28	3,380,446	04/30/68	Martin	128	24	09/03/65
A29	3,385,291	05/28/68	Martin	128	62	12/20/65
A30	3,399,457	09/03/68	Hagman	32	19	02/19/64
A31	3,416,527	12/17/68	Hoef	128	260	11/25/66
A32	3,448,738	06/10/69	Berghash	128	136	12/19/66
A33	3,481,329	12/02/69	Warren, Jr.	128	66	04/22/68
A34	3,499,844	03/10/70	Kibbel et al	252	316	08/21/67
A35	3,505,995	04/14/70	Greenberg	128	136	08/21/67
A36	3,527,218	09/08/70	Westine	128	229	06/21/67
A37	3,527,219	09/08/70	Greenberg	128	260	08/21/67
A38	3,536,069	10/27/70	Gores	128	136	09/09/69
A39	3,567,823	03/02/71	Yamaga et al	424	132	06/05/68
A40	3,624,909	12/07/71	Greenberg	32	40	05/26/70
A41	3,625,215	12/07/71	Quisling	128	260	07/09/70
A42	3,657,413	04/18/72	Rosenthal	424	81	08/28/69
A43	3,688,406	09/05/72	Porter et al	32	40	08/07/70
A44	3,742,942	07/03/73	Westline	128	62	03/30/71
A45	3,844,286	10/29/74	Cowen	128	260	08/10/73

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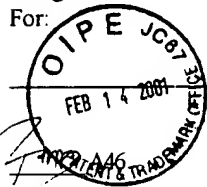
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For: COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING TEETH

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Att's Docket No. 7672,350.2

Group Art Unit: Not Yet Assigned



<del>A46</del>	3,863,006	01/28/75	Hodosh	424	49	01/29/73
<del>A47</del>	3,911,104	10/07/75	Harrison	424	52	09/16/74
<del>A48</del>	3,955,281	05/11/76	Weitzman	32	14	12/05/74
<del>A49</del>	3,969,499	07/13/76	Lee, Jr. et al	424	52	11/19/74
<del>A50</del>	3,976,223	08/24/76	Jass et al	222	94	06/26/75
<del>A51</del>	3,988,433	10/26/76	Benedict	424	53	06/11/75
<del>A52</del>	3,998,945	12/21/76	Vit	424	53	06/24/65
<del>A53</del>	4,012,839	03/22/77	Hill	32	15	11/26/73
<del>A54</del>	4,032,627	06/28/77	Suchan et al	424	54	08/06/75
<del>A55</del>	4,044,762	08/30/77	Jacobs	128	136	08/23/76
<del>A56</del>	4,057,621	11/08/77	Pashley et al	424	49	05/24/76
<del>A57</del>	4,064,628	12/27/77	Weitzman	32	14	03/08/76
<del>A58</del>	4,138,814	02/13/79	Weitzman	33	14	12/22/77
<del>A59</del>	4,164,940	08/21/79	Quinby	128	62	12/30/77
<del>A60</del>	4,173,219	11/06/79	Lentine	128	260	01/30/78
<del>A61</del>	4,173,505	11/06/79	Jacobs	156	285	02/03/78
<del>A62</del>	4,239,818	12/16/80	LaBate	427	236	07/20/79
<del>A63</del>	4,244,942	01/1981	Kamishita et al	424	81	06/08/79
<del>A64</del>	4,251,507	02/17/81	Olson	424	49	10/02/79
<del>A65</del>	4,283,385	08/11/81	Dhabhar et al	424	52	05/09/80
<del>A66</del>	4,302,441	11/24/81	Muhlemann et al	424	48	04/11/80
<del>A67</del>	4,343,608	08/10/82	Hodosh	433	224	03/03/80
<del>A68</del>	4,357,318	11/02/82	Shah et al	424	52	07/31/81
<del>A69</del>	4,376,628	03/15/83	Aardse	433	80	01/09/81
<del>A70</del>	4,400,373	08/23/83	Hodosh	424	49	12/15/81

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Sheet 1 of 17  
Att'y Docket No. 7678.3-02

Group Art Unit: Not Yet Assigned



	4,407,675	10/04/83	Hodosh	106	35	06/24/82
A72	4,419,992	12/13/83	Chorbajian	128	136	02/12/81
A73	4,428,373	01/31/84	Seid et al	604	77	02/03/82
A74	4,431,631	02/14/84	Clipper et al	424	53	01/03/83
A75	4,518,721	05/21/85	Dhabhar et al	523	120	04/12/84
A76	4,522,805	06/11/85	Gordon	424	52	06/08/83
A77	4,522,806	06/11/85	Muhlemann et al	424	52	12/19/83
A78	4,528,180	07/09/85	Schaeffer	424	52	03/01/83
A79	4,537,778	08/27/85	Clipper et al	424	53	02/13/84
A80	4,544,354	10/01/85	Gores et al	433	42	09/21/84
A81	4,557,692	12/10/85	Chorbajian	433	215	05/02/83
A82	4,560,351	12/24/85	Osborne	433	80	07/05/84
A83	4,568,536	02/04/86	Kronenthal et al	424	22	02/08/85
A84	4,592,487	06/03/86	Simon et al	222	94	07/03/85
A85	4,592,488	06/03/86	Simon et al	222	94	05/24/85
A86	4,631,185	12/23/86	Kim	424	49	03/13/84
A87	4,645,662	02/24/87	Nakashima et al	424	52	07/25/85
A88	4,661,070	04/28/87	Friedman	433	203.1	03/17/86
A89	4,687,663	08/18/87	Schaeffer	424	52	06/17/85
A90	4,696,757	09/29/87	Blank et al	252	186.29	06/16/86
A91	4,751,072	06/14/88	Kim	424	49	04/14/86
A92	4,755,386	07/05/88	Hsiao et al	424	435	01/22/86
A93	4,770,634	09/13/88	Pellico	433	217	06/11/86
A94	4,788,052	11/29/88	Ng et al	424	53	04/17/87
A95	4,812,308	03/14/89	Winston et al	424	52	02/20/87

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Sheet 15 of 17  
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Group Art Unit: Not Yet Assigned

<u>      </u>	4,839,156	06/13/89	Ng et al	424	53	04/17/87
<u>      </u> A97	4,839,157	06/13/89	Mei-King Ng et al	424	53	09/12/88
<u>      </u> A98	4,849,213	01/18/89	Schaeffer	424	53	06/19/87
<u>      </u> A99	4,895,721	01/23/90	Drucker	424	53	01/22/88
<u>      </u> A100	4,902,227	02/20/90	Smith	433	215	05/04/88
<u>      </u> A101	4,939,284	07/03/90	Degenhardt	558	142	01/24/89
<u>      </u> A102	4,954,487	09/04/90	Cooper et al	514	159	02/15/89
<u>      </u> A103	4,966,777	10/30/90	Gaffab et al	424	52	12/21/89
<u>      </u> A104	4,968,251	11/06/90	Damell	433	216	07/03/89
<u>      </u> A105	4,971,782	11/20/90	Rudy et al	424	53	04/09/85
<u>      </u> A106	4,980,152	12/25/90	Frazier et al	424	52	08/06/87
<u>      </u> A107	4,983,379	01/08/91	Schaeffer	424	52	06/20/89
<u>      </u> A108	4,983,381	01/08/91	Torres Zaragoza	424	53	04/16/87
<u>      </u> A109	4,988,500	01/29/91	Hunter et al	424	53	09/09/89
<u>      </u> A110	4,990,089	02/05/91	Munro	433	215	05/04/90
<u>      </u> A111	4,992,258	02/12/91	Mason	424	49	10/23/89
<u>      </u> A112	5,015,466	05/14/91	Parran, Jr. et al	424	52	06/26/90
<u>      </u> A113	5,098,303	03/24/92	Fischer	433	215	07/13/90
<u>      </u> A114	5,122,365	06/16/92	Murayama	424	49	02/15/89
<u>      </u> A115	5,153,006	10/06/92	Hodosh	424	718	08/12/91
<u>      </u> A116	5,182,099	01/26/93	Jönsson et al	424	49	08/27/91
<u>      </u> A117	5,188,822	02/23/93	Viccaro et al	424	52	08/07/91
<u>      </u> A118	5,234,342	08/10/93	Fischer	433	215	06/20/91
<u>      </u> A119	5,240,697	08/31/93	Norfleet et al	424	52	10/17/91
<u>      </u> A120	5,256,402	10/26/93	Prencipe et al	424	53	09/13/91

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	5,352,439	10/04/94	Norfleet et al	424	52	06/04/93
A122	5,374,417	12/20/94	Norfleet et al	424	49	10/06/93
A123	5,376,006	12/27/94	Fischer	433	215	09/24/92
A124	5,401,495	03/28/95	Murayama	424	49	08/20/91
A125	5,403,577	04/04/95	Friedman	424	45	06/12/92
A126	5,409,631	04/25/95	Fischer	252	186.26	11/22/91
A127	5,427,768	06/27/95	Tung	424	52	06/23/93
A128	5,437,858	08/01/95	Hungerbach et al	424	53	07/09/92
A129	5,449,509	09/12/95	Jackson et al	424	49	03/19/93
A130	5,505,933	04/09/96	Norfleet et al	424	52	03/15/95
A131	5,522,726	06/04/96	Hodosh	433	215	10/27/94
A132	5,565,190	10/15/96	Santalucia et al	424	53	11/14/94
A133	5,571,501	11/05/96	Toy	424	49	03/15/94
A134	5,599,527	02/04/97	Hsu et al	424	52	11/14/94
A135	5,614,174	03/25/97	Hsu et al	424	49	11/14/94
A136	5,630,999	05/20/97	Burke et al	424	49	01/21/94
A137	5,631,000	05/20/97	Pellico et al	424	53	03/11/96
A138	5,648,064	07/15/97	Gaffar et al	424	53	07/07/95
A139	5,698,182	12/16/97	Principe et al	424	53	10/22/96
A140	5,725,843	03/10/98	Fischer	424	49	09/27/96
A141	5,827,505	10/27/98	Hodosh	424	49	12/12/95
A142	5,851,512	12/22/98	Fischer	424	49	05/30/97
A143	5,855,870	01/05/99	Fischer	424	49	05/30/97
A144	6,036,943	03/14/00	Fischer	424	49	10/14/97
A145	6,099,868	08/08/00	Hodosh	424	600	11/12/99

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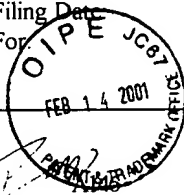
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RE 28,667	12/30/75	Gores	128	136	02/03/72
A147	RE 34,196	03/16/93	Munro	433	215 08/07/91

Foreign Patent Documents

Examiner Initial*	Document Number	Publ Date	Country or Patent Office	Class	Sub Class	Trans- lation
<u>JND</u>	A148	1 489 712	11/20/65	Germany	Yes	
<u>+</u>	A149	1 566 227	10/23/69	Germany	Yes	
<u>+</u>	A150	28 48 237	11/07/78	Germany	Yes	
<u>+</u>	A151	8,100,383	08/16/82	Netherlands	Yes	
<u>+</u>	A152	528,007	12/13/83	Spain	Yes	
<u>+</u>	A153	0 286 766	10/19/88	Europe	English	
<u>+</u>	A154	0 325 267	07/26/89	Europe	English	

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner  
Initial\*

<u>JND</u>	A155	Arrigoni et al., "The Use of Sodium Bicarbonate and Hydrogen Peroxide Periodontal Therapy: A Review", <u>JADA</u> , Vol. 114, pp. 217-221 (Feb. 1987).
<u>+</u>	A156	Archambault, Dr. Gregory A., "Home Bleaching" <u>Nation-Wide Dental</u> , Volume 2, No. 22, January 1990.
<u>+</u>	A157	Arens, Donald E. et al., "A Practical Method of Bleaching Tetracycline-Stained Teeth", <u>Oral Surg., Oral Med., Oral Path.</u> Vol 34 (No. 5), November 1972.
<u>+</u>	A158	Arzt, Alvin H. "Updating Tetracycline-Stained Teeth Bleaching Technique", <u>Quintessence International</u> , January 1981, No. 1, pp. 15-18.
<u>JND</u>	A159	Attin et al., "Die Bleichbehandlung - ein fester Bestandteil ästhetischer Zahnheilkunde," Universitätsklinik für Abt. Poliklinik, Hugstetter Str. 55, 79106 Freiburg — Attin et al., "Bleaching - An Essential Part of Esthetic Dentistry," University Clinic for Dentistry, Oral Medicine and Orthodontics, Polyclinic, Hugstetter Str. 55, D-79106 Freiburg, 1995.


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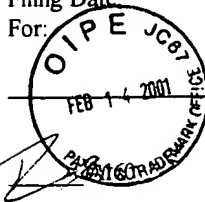
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For:  COMPO  
TEETH

Att'y Docket No. 76-350.2

Group Art Unit: Not Yet Assigned

For: COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING TEETH



BF Goodrich Chemical (Deutschland) GmbH: Carbopol<sup>®</sup>, Wasserlösliche Polymere — Carbopol<sup>®</sup>, Water Soluble Polymer, 1984.

- |      |   |
|------|---|
| A161 | Baumgartner, J. Craig et al., "Human Pulpal Reaction to the Modified McInnes Bleaching Technique", <u>Journal of Endodontics</u> , Volume 9, No. 12, December 1983, pp. 527-529.            |
| A162 | Bayless, J. Mark et al., "Diagnosis and Treatment of Acute Fluoride Toxicity", <u>JADA</u> , vol. 110, February 1985, pp. 209-211.  |
| A163 | Blaine, Edward et al., "Oral Hygiene Supplement for Handicapped Children," <u>The Journal of Dental Practice</u> , pp. 29-31 (May 1971).  |
| A164 | Bouschor, Charles F., "Bleaching Fluorosis Stained Teeth", <u>New Mexico Dental Journal</u> , Volume 16, No. 1, May 1965, pp. 33-34.  |
| A165 | Bowles, William H. et al., "Pulp Chamber Penetration by Hydrogen Peroxide Following Vital Bleaching Procedures" <u>Journal of Endodontics</u> , Volume 13, No. 8, August 1987, pps 375-377. |
| A166 | Budaveri, S. et al., "The Merck Index," <u>Merck &amp; Co., Inc.</u> , pp. 323, 1449 and 1450 (1989).   |
| A167 | Budaveri, S. et al., "The Merck Index," <u>Merck &amp; Co., Inc.</u> , pp. 1521, 1536, 1537, MISC-3 and 4, CI-337 (1989).   |
| A168 | Buffalo Dental Mfg. Co. Technical Manual for Sta-Vac mini-lab vacuum adapter, Brochure No. 895/01.  |
| A169 | Christensen, Gordon J. et al., "Bleaching Vital Tetracycline Stained Teeth", <u>Quintessence International</u> , Volume 9, Number 6, June 1978.   |
| A170 | Cobe, Herbert J. et al., "Urea Peroxide... in Glycerine", <u>Pennsylvania Dental Journal</u> , Vol. 25, No. 4, pp. 12-18 (Jan. 1959).   |
| A171 | Cohen, Stephen, "A Simplified Method for Bleaching Discolored Teeth," <u>DIGEST</u> , pp. 301-303 (July 1968).  |
| A172 | Cohen et al., "Bleaching Tetracycline-Stained Vital Teeth", <u>Oral Surgery</u> , Vol. 29, No. 3, pp. 465-471 (March 1970).   |
| A173 | Cohen, Steven et al. "Human Pulpal Response to Bleaching Procedures on Vital Teeth", <u>Journal of Endodontics</u> , Volume 5, No. 5, May 1979, pp. 134-138.                                |
| A174 | Colon, P.G. Jr., "Removing Fluorosis Stains From Teeth", <u>Quintessence International</u> , Volume 2, Number 6, Page 1.  |
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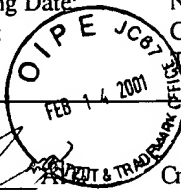
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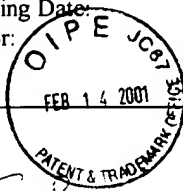
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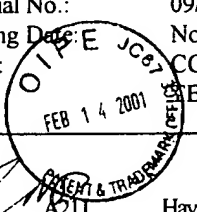
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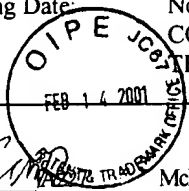
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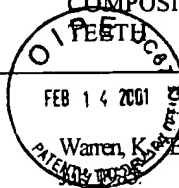
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TEETH

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Sheet 15 of 17

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A284 Declaration of Dr. David H. Freshwater (2), Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (July 1991).

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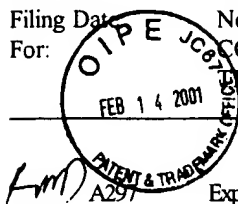
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TECH CENTER 1000LM A297 Expert Report of Dr. Van B. Haywood, Civil Action No. 2:95CV 0163 WJR (D. Utah) (January 1996).       A298 Trial Testimony of Harry F. Albers (Direct), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A299 Trial Testimony of Dan E. Fischer (Direct and Rebuttal), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A300 Trial Testimony of Roger Hicks (Rebuttal), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A301 Trial Testimony of Bryan D. Tarr (Direct), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A302 Trial Testimony of Garold S. Yost (Rebuttal), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A303 Trial Testimony of Wayne Smith Gundry (Direct), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A304 Trial Testimony of Walter O. Dixon (Direct), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A305 Trial Exhibits, Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).       A306 Deposition of Dr. Anthony H.L. Tjan with Exhibits, Civil Action No. 2:95CV 0163 WJR (D. Utah) (January 1996).LM A307 Deposition of Dr. James R. Dunn with Exhibits, Civil Action No. 2:95CV 0163 WJR (D. Utah) (January 1996).Examiner:       Date Considered:       

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EXPRESS MAIL LABEL NO.: EL746187836US

Form PTO-1449

Applicant: Steven D. Jensen and Dan E. Fischer, D.D.S.

Serial No.: 09/710,181

Filing Date: November 10, 2000

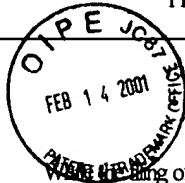
For: COMPOSITIONS AND METHODS FOR WHITENING AND  
TEETH

Sheet 1 of 17

Att'y Docket No. 27678.358.2

Group Art Unit Not Yet Assigned

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#### References Cited by Applicants

When filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1", "A2", etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142.

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Date Considered:

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EXPRESS MAIL LABEL NO. EL243103184US

Form PTO-1449 (Part I)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For:

COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING  
TEETH

Sheet 1 of 2

Att'y Docket No.: 7678.350

Group Art Unit: 1614

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## INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

## U.S. Patent Documents

Examiner Initial*	Patent Number	Issue Date	Name	Class	Sub Class	Filing Date
<u>213</u> A1	3,863,006	1/28/75	Hodosh	424	49	1/29/73
A2	4,057,621	11/08/77	Pashley et al	424	49	5/24/76
A3	4,283,385	8/11/81	Dhabhar et al	424	52	5/09/80
A4	4,343,608	8/10/82	Hodosh	433	224	3/03/80
A5	4,357,318	11/02/82	Shah et al	424	52	7/31/81
A6	4,400,373	8/23/83	Hodosh	424	49	12/15/81
A7	4,407,675	10/04/83	Hodosh	106	35	6/24/82
A8	4,631,185	12/23/86	Kim	424	49	3/13/84
A9	4,645,662	2/24/87	Nakashima et al	424	52	7/25/85
A10	4,751,072	6/14/88	Kim	424	49	4/14/86
A11	4,992,258	2/12/91	Mason	424	49	10/23/89
A12	5,015,466	5/14/91	Parran, Jr. et al	424	52	6/26/90
A13	5,153,006	10/06/92	Hodosh	424	718	8/12/91
A14	5,182,099	1/26/93	Jönsson et al	424	49	8/27/91
A15	5,188,822	2/23/93	Viccaro et al	424	52	8/07/91
A16	5,240,697	8/31/93	Norfleet et al	424	52	10/17/91
A17	5,256,402	10/26/93	Prencipe et al	424	53	9/13/91
A18	5,352,439	10/04/94	Norfleet et al	424	52	6/04/93
A19	5,374,417	12/20/94	Norfleet et al	424	49	10/06/93
A20	5,403,577	4/04/95	Friedman	424	45	6/12/92
A21	5,427,768	6/27/95	Tung	424	52	6/23/93
<u>213</u> A22	5,437,858	8/01/95	Hungerbach et al	424	53	7/09/92

Examiner: RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered:

9-30-99

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EXPRESS MAIL LABEL N EL243103184US

Form PTO-1449 (Part I)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For: COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING TEETH

Sheet 2 of 2

Att'y Docket No.: 7678.350

Group Art Unit: 1614

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A23	4,449,509	9/12/95	Jackson et al	424		3/19/93
A24	5,522,726	6/04/96	Hodosh	433	215	10/27/94
A25	5,565,190	10/15/96	Santalucia et al.	424	53	11/14/94
A26	5,571,501	11/05/96	Toy	424	49	3/15/94
A27	5,599,527	2/04/97	Hsu et al	424	52	11/14/94
A28	5,614,174	3/25/97	Hsu et al	424	49	11/14/94
A29	5,630,999	5/20/97	Burke et al	424	49	1/21/94
A30	5,648,064	7/15/97	Gaffar et al	424	53	7/07/95
A31	5,698,182	12/16/97	Principe et al	424	53	10/22/96

## References Cited by Applicants

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Examiner:

RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered:

9-30-99

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EXPRESS MAIL LABEL NO. EL243103184US

Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For:

COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING  
TEETH

Sheet 1 of 15

Att'y Docket No.: 7678.350

Group Art Unit: 1614

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## INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

## U.S. Patent Documents

Examiner Initial*	Patent Number	Issue Date	Name	Class	Sub Class	Filing Date
<u>213</u> A1	165,584	07/13/75	Hopfen	128	136	06/10/75
A2	767,553	08/10/04	Edgelow	604	77	12/07/03
A3	803,474	10/31/05	Dennis	433	80	06/14/04
A4	803,475	10/31/05	Dennis	128	136	11/15/04
A5	1,371,029	03/08/21	Jennings	128	136	09/11/20
A6	1,642,653	09/13/27	Goldstein	433	215	02/19/26
A7	1,691,785	11/13/28	Remensnyder	601	139	09/14/25
A8	1,818,146	08/11/31	Maker	128	136	02/02/25
A9	1,934,688	11/14/33	Ackerman	604	77	02/24/31
A10	2,257,709	09/30/41	Anderson	128	260	10/14/38
A11	2,669,988	02/23/65	Carpenter	128	136	05/08/51
A12	2,798,053	07/02/57	Brown	260	2.2	09/03/52
A13	2,835,628	05/20/58	Saffir	167	84	04/01/57
A14	2,858,281	10/28/58	Bauman et al.	260	2.2	01/22/54
A15	2,923,692	02/02/60	Ackerman et al.	260	17.4	01/25/54
A16	2,985,625	05/23/61	Jones	260	78	01/18/54
A17	3,060,935	10/30/62	Riddell	128	260	12/15/60
A18	3,073,300	01/15/63	Berghash	128	136	03/24/61
A19	3,107,668	10/22/63	Thompson	128	136	07/17/62
A20	3,224,441	12/21/65	Monaghan	128	136	04/24/63
<u>213</u> A21	3,224,443	12/21/65	Monaghan	128	136	02/24/65

Examiner: RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered:

9-30-99

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EXPRESS MAIL LABEL No. EL243103184US

Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For:

COMPOSITIONS AND METHODS FOR WHITENING AND DESENSITIZING

TEETH

Sheet 2 of 15

Att'y Docket No.: 7678.350

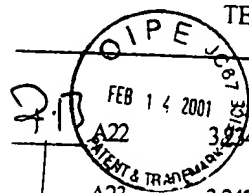
Gross Art Unit: 1614



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213 A22	3,274,942	02/15/66	Simor	128	172.1	09/03/63
A23	3,247,844	04/26/66	Berghash	128	136	01/29/64
A24	3,250,272	05/10/66	Greenberg	128	136	11/05/63
A25	3,319,626	05/16/67	Lindsay	128	136	04/08/65
A26	3,339,547	09/05/67	Drabkowski	128	260	11/27/64
A27	3,379,193	04/23/68	Monaghan	128	136	10/11/65
A28	3,380,446	04/30/68	Martin	128	24	09/03/65
A29	3,385,291	05/28/68	Martin	128	62	12/20/65
A30	3,399,457	09/03/68	Hagman	32	19	02/19/64
A31	3,416,527	12/17/68	Hoef	128	260	11/25/66
A32	3,448,738	06/10/69	Berghash	128	136	12/19/66
A33	3,481,329	12/02/69	Warren, Jr.	128	66	04/22/68
A34	3,499,844	03/10/70	Kibbel et al.	252	316	08/21/67
A35	3,505,995	04/14/70	Greenberg	128	136	08/21/67
A36	3,527,218	09/08/70	Westine	128	229	06/21/67
A37	3,527,219	09/08/70	Greenberg	128	260	08/21/67
A38	3,536,069	10/27/70	Gores	128	136	09/09/69
A39	3,567,823	03/02/71	Yamaga et al.	424	132	06/05/68
A40	3,624,909	12/07/71	Greenberg	32	40	05/26/70
A41	3,625,215	12/07/71	Quisling	128	260	07/09/70
A42	3,657,413	04/18/72	Rosenthal	424	81	08/28/69
A43	3,688,406	09/05/72	Porter et al.	32	40	08/07/70
A44	3,742,942	07/03/73	Westine	128	62	03/30/71
A45	3,844,286	10/29/74	Cowen	128	260	08/10/73
213 A46	3,911,104	10/07/75	Harrison	424	52	09/16/74

Examiner:

RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered:

9-30-99

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Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For: COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING TEETH

Sheet 3 of 15

Att'y Docket No.: 7678.350

Group Art Unit: 1614

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215	A47	3,955,281	05/11/76	Weitzman	32	14	12/05/74
	A48	3,969,499	07/13/76	Lee, Jr. et al.	424	52	11/19/74
	A49	3,976,223	08/24/76	Jass et al.	222	94	06/26/75
	A50	3,988,433	10/26/76	Benedict	424	53	06/11/75
	A51	3,998,945	12/21/76	Vit	424	53	06/24/65
	A52	4,012,839	3/22/77	Hill	32	15	11/26/73
	A53	4,032,627	06/28/77	Suchan et al.	424	54	08/06/75
	A54	4,044,762	08/30/77	Jacobs	128	136	08/23/76
	A55	4,064,628	12/27/77	Weitzman	32	14	03/08/76
	A56	4,138,814	02/13/79	Weitzman	33	14	12/22/77
	A57	4,164,940	08/21/79	Quinby	128	62	12/30/77
	A58	4,173,219	11/06/79	Lentine	128	260	01/30/78
	A59	4,173,505	11/06/79	Jacobs	156	285	02/03/78
	A60	4,239,818	12/16/80	LaBate	427	236	07/20/79
	A61	4,244,942	01/1981	Kamishita et al.	424	81	06/08/79
	A62	4,251,507	02/17/81	Olson	424	49	10/02/79
	A63	4,302,441	11/24/81	Muhlemann et al.	424	48	04/11/80
	A64	4,376,628	03/15/83	Aardse	433	80	01/09/81
	A65	4,419,992	12/13/83	Chorbajian	128	136	02/12/81
	A66	4,428,373	01/31/84	Seid et al.	604	77	02/03/82
	A67	4,431,631	02/14/84	Clipper et al.	424	53	01/03/83
	A68	4,518,721	05/21/85	Dhabhar et al.	523	120	04/12/84
	A69	4,522,805	06/11/85	Gordon	424	52	06/08/83
	A70	4,522,806	06/11/85	Muhlemann et al.	424	52	12/19/83
213	A71	4,528,180	07/09/85	Schaeffer	424	52	03/01/83

Examiner: RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered: 9-30-99

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Form PTO-1449 (Part II)

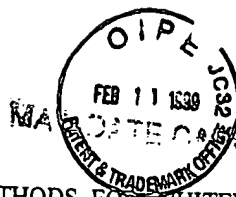
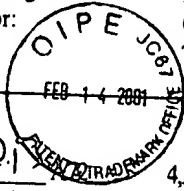
Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For: COMPOSITIONS AND METHODS FOR WHITENING AND  
TEETH

Sheet 4 of 15


 Doc. No.: 7678.350  
 Group: A Unit: 1614  
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<u>P.1</u>	4,537,778	08/27/85	Clipper et al.	424	53	02/13/84
A73	4,544,354	10/01/85	Gores et al.	433	42	09/21/84
A74	4,557,692	12/10/85	Chorbajian	433	215	05/02/83
A75	4,560,351	12/24/85	Osborne	433	80	07/05/84
A76	4,568,536	02/04/86	Kronenthal et al.	424	22	02/08/85
A77	4,592,487	06/03/86	Simon et al.	222	94	07/03/85
A78	4,592,488	06/03/86	Simon et al.	222	94	05/24/85
A79	4,661,070	04/28/87	Friedman	433	203.1	03/17/86
A80	4,687,663	08/18/87	Schaeffer	424	52	06/17/85
A81	4,696,757	09/29/87	Blank et al.	252	186.29	06/16/86
A82	4,755,386	07/05/88	Hsiao et al.	424	435	01/22/86
A83	4,770,634	09/13/88	Pellico	433	217	06/11/86
A84	4,788,052	11/29/88	Ng et al.	424	53	04/17/87
A85	4,812,308	03/14/89	Winston et al.	424	52	02/20/87
A86	4,839,156	06/13/89	Ng et al.	424	53	04/17/87
A87	4,839,157	06/13/89	Mei-King Ng et al.	424	53	09/12/88
A88	4,849,213	01/18/89	Schaeffer	424	53	06/19/87
A89	4,895,721	01/23/90	Drucker	424	53	01/22/88
A90	4,902,227	02/20/90	Smith	433	215	05/04/88
A91	4,939,284	07/03/90	Degenhardt	558	142	01/24/89
A92	4,954,487	09/04/90	Cooper et al.	514	159	02/15/89
A93	4,966,777	10/30/90	Gaffab et al.	424	52	12/21/89
A94	4,968,251	11/06/90	Damell	433	216	07/03/89
A95	4,971,782	11/20/90	Rudy et al.	424	53	04/09/85
<u>P.13</u> A96	4,980,152	12/25/90	Frazier et al.	424	52	08/06/87

Examiner:

 RAJ BAWA, Ph.D.  
 PRIMARY EXAMINER

Date Considered:

9-30-99

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EXPRESS MAIL LABEL N EL243103184US

Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For: COMPOSITIONS AND METHODS FOR WHITENING AND  
TEETH

Sheet 5 of 15

Att'y Docket No.: 7678.350

Group Art Unit: 1614

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213 A97 4,983,379 01/08/91 Schaeffer 424 52 06/20/89  
A98 4,983,381 01/08/91 Torres Zaragoza 424 53 04/16/87  
A99 4,988,500 01/29/91 Hunter et al. 424 53 09/09/89  
A100 4,990,089 02/05/91 Munro 433 215 05/04/90  
A101 5,122,365 06/16/92 Murayama 424 49 02/15/89  
A102 5,401,495 03/28/95 Murayama 424 49 08/20/91  
A103 5,631,000 05/20/97 Pellico et al. 424 53 03/11/96  
A104 5,698,182 12/16/97 Principe et al. 424 53 10/22/96  
A105 RE 28,667 12/30/75 Gores 128 136 02/03/72  
A106 RE 34,196 03/16/93 Munro 433 215 08/07/91

Foreign Patents

	<u>Patent No.</u>	<u>Date</u>	<u>Country</u>	<u>Translation</u>
A107	1 489 712	11/20/65	Germany	Yes
A108	1 566 227	10/23/69	Germany	Yes
A109	28 48 237	11/07/78	Germany	Yes
A110	8,100,383	08/16/82	Netherlands	Yes
A111	528,007	12/13/83	Spain	Yes
A112	0 286 766	10/19/88	Europe	English
213 A113	0 325 267	07/26/89	Europe	English

Other Prior References

(including Author, Title, Pertinent Pages, etc.)

213 A114 Albers, Harry F., Tooth Colored Restoratives, Ch. 6, September 1985.

*Incomplete*

Examiner: RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered:

9-30-99

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EXPRESS MAIL LABEL NO. EL243103184US

Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

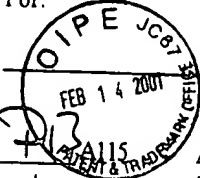
Filing Date: November 12, 1998

For: COMPOSITIONS AND METHODS FOR WHITENING AND DESENSITIZING TEETH



Sheet 6 of 15

Att'y Docket No.: 7678.350  
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RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered:

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Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For:

COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING TEETH



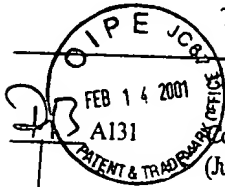
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Sheet 8 of 15

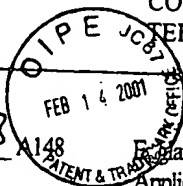
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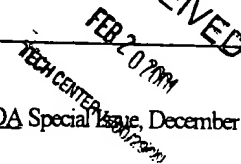
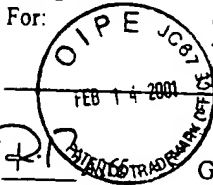
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RAJ BAWA, Ph.D.

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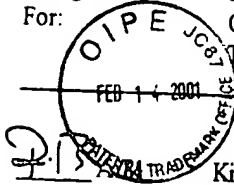
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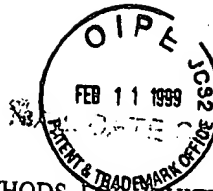
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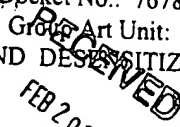
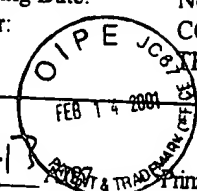
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For: COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING TEETH

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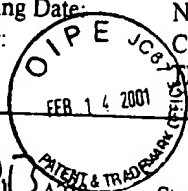
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P.B. Bawa

Examiner:

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PRIMARY EXAMINER

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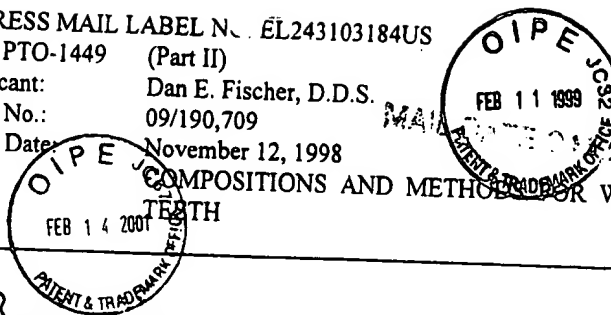
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- P.B. A246 Deposition (Group) of Coastal Dental Study Club, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (September 1991).

P.B. Bawa

Examiner:

RAJ BAWA, Ph.D.  
PRIMARY EXAMINER

Date Considered:

9-30-99

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EXPRESS MAIL LABEL N. EL243103184US

Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For: COMPOSITIONS AND METHODS FOR WHITENING AND DESSENSITIZING  
TEETH

Sheet 14 of 15

Att'y Docket No.: 7678.350

Group Art Unit: 1614

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- 213 A247 Declaration of Dr. David H. Freshwater (2), Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (July 1991).
- A248 Deposition of Dr. David H. Freshwater with Exhibits, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (September 1991).
- A249 Deposition of Dr. Van B. Haywood with Exhibits, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (September 1991).
- A250 Declaration of Dr. William W. Klusmeier (2), Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (April 1991).
- A251 Deposition of Dr. William Walter Klusmeier, Jr. with Exhibits, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (April 1991).
- A252 Deposition of Dan Parker with Exhibits, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (August 1991).
- A253 Declaration of Paula Rains, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (May 1991).
- A254 Declaration of Dr. Phil S. Sanders, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (July 1991).
- A255 Deposition of Dr. Phil S. Sanders with Exhibits, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (July 1991).
- A256 Declaration of Dr. Jerry Wagner, Civil Action No. 91-1406 WJR (Sx) (C.D. Cal.) (May 1991).
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- A262 Trial Testimony of Dan E. Fischer (Direct and Rebuttal), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).
- A263 Trial Testimony of Roger Hicks (Rebuttal), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).
- A264 Trial Testimony of Bryan D. Tarr (Direct), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).
- 213 A265 Trial Testimony of Garold S. Yost (Rebuttal), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).

Examiner:

BAWA

Date Considered:

7-30-99

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EXPRESS MAIL LABEL N. EL243103184US

Form PTO-1449 (Part II)

Applicant: Dan E. Fischer, D.D.S.

Serial No.: 09/190,709

Filing Date: November 12, 1998

For: COMPOSITIONS AND METHODS FOR WHITENING AND  
RESENSITIZING

Sheet 15 of 15

Att'y Docket No.: 7678.350

Group Art Unit: 1614

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P.B.

A266

Trial Testimony of Wayne Smith Gundry (Direct), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).

A267

Trial Testimony of Walter O. Dixon (Direct), Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).

A268

Trial Exhibits, Civil Action No. 2:95CV 0163 WJR (D. Utah) (May 1996).

A269

Deposition of Dr. Anthony H.L. Tjan with Exhibits, Civil Action No. 2:95CV 0163 WJR (D. Utah) (January 1996).

P.B.

A270

Deposition of Dr. James R. Dunn with Exhibits, Civil Action No. 2:95CV 0163 WJR (D. Utah) (January 1996).

#### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1", "A2", etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142.

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Examiner:

R. BAWA

Date Considered:

9-30-99

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